

MINUTES

CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION CITY COUNCIL CHAMBERS, CARSON CITY HALL

701 East Carson Street, Second Floor
Carson, CA 90745

MAY 14, 2013 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:33 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Piñon led the Salute to the Flag.
3. **ROLL CALL**

Planning Commissioners Present:
*Brimmer, Faletogo, Goolsby,
Gordon, Piñon, Schaefer, Saenz,
Verrett

*(Brimmer arrived at 6:37 P.M.)

Planning Commissioners Absent:
Diaz (excused)

Planning Commissioners Departed
Early: None

Planning Staff Present: Senior
Planner Signo, Assistant City
Attorney Soltani, Associate Planner
Gonzalez, Planning Technician
Alexander, Recording Secretary
Bothe
4. **AGENDA POSTING
CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Saenz moved, seconded by Commissioner Gordon, to approve the Agenda as submitted. Motion carried, 7-0 (Commissioner Brimmer had not yet arrived; absent Commissioner Diaz).
6. **INSTRUCTIONS
TO WITNESSES** Chairman Faletogo requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.
7. **SWEARING OF WITNESSES** Assistant City Attorney Sunny Soltani

8. ORAL COMMUNICATIONS

For items **NOT** on the agenda. Speakers are limited to three minutes.

Norberto Boceta encouraged everyone to become a member of Toastmasters; and announced that Mr. Dana LaMon will be the guest speaker on June 4, 2013, from noon to 1:00 P.M. at the Carson Community Center, Room 107. He added that Mr. LaMon is a professional, accredited speaker and the 1992 Toastmasters International World Champion of Public Speaking.

9. CONSENT CALENDAR

A) Minutes: April 23, 2013

Chairman Faletogo moved, seconded by Vice-Chair Verrett, to approve the April 23, 2013, Minutes as presented. Motion carried, 8-0 (absent Commissioner Diaz).

10. CONTINUED PUBLIC HEARING

None

11. PUBLIC HEARING

**A) Design Overlay Review No. 1425-11; and
Conditional Use Permit No. 885-11**

Applicant's Request:

The applicant, Bonnie Belair, is requesting to permit an existing legal, non-conforming 60-foot-high wireless communications facility (monopole) on a property located in the MH (Manufacturing, Heavy) zone. The subject property is located at 2045 East Carson Street.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Design Overlay No. 1425-11 and Conditional Use Permit No. 885-11, subject to conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2471, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1425-11 and Conditional Use Permit No. 885-11 to permit an existing legal, non-conforming 60-foot-high major wireless communications facility on a property located at 2045 East Carson Street."

Chairman Faletogo opened the public hearing.

Bonnie Belair, representing American Tower, explained that they are attempting to bring this existing tower into conformance, noting it has been in place for the past 24 years; advised that additional landscaping will be added and that the tower will be painted; stated this site is over 400 feet away from the street and not easily visible from the street; and that it is securely enclosed. She added that a maintenance technician visits this site once a month. She commented on the importance of maintaining adequate

coverage and capacity for their customers. She stated that these towers are engineered/built for co-location, noting it decreases the number of towers in a city.

There being no further input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Schaefer, to concur with staff's recommendation, thus adopting Resolution No. 13-2471. Motion carried, 8-0 (absent Commissioner Diaz.)

11. PUBLIC HEARING

**B) Conditional Use Permit Nos. 877-11 and 878-11; and
General Plan Amendment No. 88-10**

Applicant's Request:

The applicant, Donna Martin, is requesting to approve a conditional use permit for a truck yard operation; recommend to the City Council approval of development on an organic refuse landfill site and a General Plan amendment to change the land use designation from Light Industrial to Heavy Industrial for the property located at 19101 South Broadway.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to adopt the Negative Declaration for said project; WAIVE further reading and ADOPT Resolution No. 13-2472, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of General Plan Amendment No. 88-10 changing the General Plan Land Use designation from Light Industrial to Heavy Industrial and Conditional Use Permit No. 878-11 to permit development on an organic refuse landfill site and approving Conditional Use Permit No. 877-11 for a truck yard use to be located at 19101 South Broadway."

Responding to Chairman Faletogo's inquiry regarding additional truck traffic impacting residents, Associate Planner Gonzalez explained that the truck routes in this area have recently been revised, noting the trucks are no longer permitted to use Victoria Street between Main Street and Central Avenue and Main Street between Broadway and Victoria Street; and he pointed out that it is approximately 1/8th mile to the 405 Freeway from this site and approximately two miles to the 91 Freeway. He added that there is no residential area next to this site.

Commissioner Saenz noted his concern with the City's trucking activities and its impacts upon the residents' health.

Associate Planner Gonzalez pointed out that this site has been vacant for several years, creating a blighted condition; explained that the City's traffic engineer, DTSC, and the Fire Department all believe the proposed project will not create a significant impact; stated that 60 trucks will be using this facility; that the trucks have quick and easy access to the freeways; and pointed out that this project was noticed and that no calls of concern were received.

Commissioner Schaefer asked for further input on the methane gas mitigation plans.

Associate Planner Gonzalez advised that the engineer's report is attached, noting that a County building official will evaluate the applicant's plan to oversee the maintenance of the methane thresholds to assure everyone's safety. He commented on the adequacy of the 2-foot cap and asphalt cover to support the activities of the truck operations on site. He added that the property owner will be required to coordinate with the State Department of Toxic Substances (DTSC) to sign a Land Use Covenant, to be prepared by DTSC, ensuring that no intrusive work will be performed at the site and no structures be built other than a small restroom without a permanent foundation. He added that the only people permitted on site will be the truck drivers.

Associate Planner Gonzalez noted for Commissioner Piñon that no petroleum hydrocarbon concentrations will exceed the allowable thresholds.

Vice-Chair Verrett expressed her concern that the 2-foot cap won't be adequate to handle the long-term trucking activities on site.

Associate Planner Gonzalez explained that the engineers involved, DTSC, and the Fire Department all believe the cap to be stable enough to safely endure the proposed activities; and he reiterated that the property owner is required to pave this site with asphalt.

Chairman Faleto go opened the public hearing.

Jim Hirshberg, representing the property owner, stated this site has been owned by the Martin family since 1969; and that it was then used as a storage and trucking facility for many years, sitting vacant for the last six years. He pointed out that because of the odd shape/size of this site, its allowable uses are very limited. He requested that the property be changed back to Heavy Industrial just as it was when the Martins purchased this property. He stated it will be nicely maintained; and that they will be investing a lot of money into making improvements, such as a 500-foot long block wall, toilet facility, security system and gate, landscaping, etc. He added that the family will also manage the property.

Chairman Faleto go asked if this will be a truck rest area.

Mr. Hirshberg indicated it would be considered a truck stop/parking area only, with no loading/unloading of merchandise; and that it will have a security video monitoring system with electronic gate.

Goitom Tekletsion, landscape architect, reviewed the landscape plans for this site, noting there will be new trees, shrubs and vines planted to soften the block wall.

Senior Planner Signo asked that a bioswale (landscape elements designed to remove silt and pollution from surface runoff water) be designed into the landscape plans.

Associate Planner Gonzalez suggested the landscape architect coordinate with the City's storm water manager on the plans for a bioswale.

Commissioner Brimmer expressed her belief there is limited security of this site and stated she has many questions about this proposal.

Mr. Hirshberg advised that the environmental engineers have completed Phase I and II studies of this site; stated there will be more than a 2-foot cap; advised that the owner signed the Land Use Covenant just today; and reminded everyone that DTSC and the engineers fully support this proposal. He reiterated that there is a remote security monitoring system and an electronic gate.

Associate Planner Gonzalez explained for Commissioner Gordon that DTSC will not allow a permanent foundation on this site for a restroom; and advised that the block wall is required by the City's ordinance for truck yards.

There being no further input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Chairman Faletogo moved to approve staff recommendation.

Assistant City Attorney Soltani asked if the following amended language to Condition 16 is expected, per Vice-Chair Verrett's prior request: "...officers, or employees to ~~attack, set aside, void or annul, and approval of the City,~~ its advisory agencies, appeal boards or legislative body concerning Conditional Use Permit Nos. 877-11/878-11 **or arising out of the City's approvals unless, but not limited to, any environmental claim.** The City will promptly..."

Chairman Faletogo stated that will be made part of his motion. The motion was seconded by Commissioner Schaefer, thus adopting Resolution No. 13-2472. Motion carried, 7-1 (Commissioner Brimmer abstained; absent Commissioner Diaz.)

12. NEW BUSINESS DISCUSSION	None
13. WRITTEN COMMUNICATIONS	None
14. MANAGER'S REPORT	None

15. COMMISSIONERS' REPORTS

Commissioner Brimmer invited all to participate in the City's Memorial Day celebration at the Community Center on Thursday, May 23rd, from 5:00 P.M. to 6:30 P.M., noting the Veteran's Commission is facilitating this event; and she mentioned that staff has scheduled a Draft Master Plan of Bikeways Community Workshop at the Community Center on Thursday, May 16th, from 6:00 P.M. to 7:00 P.M.

16. ADJOURNMENT

At 8:17 P.M., the meeting was adjourned to Tuesday, May 28, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary